

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

LINDA BEARD,)	
)	
Plaintiff,)	
)	
v.)	Civil Case No. 2:07-CV-00790-MHT
)	
COLDWATER CREEK, INC.,)	
)	
Defendant.)	

REPORT OF THE PARTIES' PLANNING MEETING

1. **Appearances.** Pursuant to Fed. R. Civ. P. 26(f), a teleconference was held on October 23, 2007 among the following participants:

Andy Nelms
Law Offices of Jay Lewis, LLC
Attorney for Plaintiff

Hans P. Schmidt
Baker, Donelson, Bearman, Caldwell & Berkowitz, P.C.
Attorney for Defendant

2. **Pre-Discovery Disclosures.** The parties will exchange by November 9, 2007, the information required by Fed. R. Civ. P. 26(a)(1).
3. **Discovery Plan.** The parties jointly propose to the court the following discovery plan:
- a. Discovery will be needed on the following subjects:
 - 1. All information pertaining to Plaintiff's claims and damages.
 - 2. All information pertaining to Defendants' defenses.
 - b. All discovery commenced in time to be completed by May 1, 2008.
 - c. There will be a maximum of 30 interrogatories by each party to any other party. The responses will be due 30 days after service.

- d. There will be a maximum of 30 requests for production of documents by each party to any other party. The responses will be due 30 days after service.
- e. There will be a maximum of 30 requests for admission by each party to any other party. Responses will be due 30 days after service.
- f. The parties agree that no more than 10 depositions may be taken by a party without leave of the court or agreement of the parties. Each deposition is limited to a maximum of 7 hours unless extended by agreement of the parties.
- g. Reports from retained experts under Rule 26(a)(2) will be due from Plaintiff by February 1, 2008, and from Defendant by March 1, 2008.
- h. Supplementation of the disclosures under Rule 26(e) will be due within 30 days before the end of the discovery period.

4. **Other items.**

- a. **Scheduling Conference**
The parties **do not** request a conference with the court before entry of the scheduling order.
- b. **Pretrial Conference**
The parties request a pretrial conference in August, 2008.
- c. **Additional Parties, Claims and Defenses**
The parties must join additional parties and amend the pleadings by February 1, 2008.
- d. **Dispositive Motions**
All potentially dispositive motions should be filed by June 1, 2008.
- e. **Settlement**
Settlement and the possibility of mediation cannot be evaluated until some discovery is complete.
- f. **Trial Evidence**
The final list of witnesses and trial evidence under Rule 26(a)(3) should be due three weeks before trial. The parties should have 14 days after service to list objections under Rule 26(a)(3).
- g. **Trial Date**
This case should be ready for trial by September 1, 2008, and at this time is expected to take approximately 1 day of trial time.

Date: October 25, 2007

/s/ Andy Nelms

Keith Anderson Nelms

847 So. McDonough Street, Suite 100

Montgomery, AL 36104

Phone: 334-263-7733

Fax: 334-832-4390

andynelms@andersonnelms.com

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/s/ Hans P.Schmidt

Hans P. Schmidt

420 20th Street North, Suite 1600

Birmingham, AL

Phone: 205-250-8324

Fax: 205-488-3724

hschmidt@bakerdonelson.com